

1746  
erw

## UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wei-Yu Su  
Application No.: 10/040,042  
Filed : November 7, 2001  
TC/A.U. : 1746  
Title : Method for Reduction of Photomask Defects

Docket No. : N1085-90003  
Customer No. : 08933

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING,**  
**37 C.F.R. §1.8(a)**  
I certify that this correspondence and the  
enclosures mentioned therein are being deposited  
by First Class U.S. Mail with sufficient postage on  
the date shown below, addressed to Commissioner  
for Patents, PO Box 1450, Alexandria, Virginia  
22313-1450.

*Richard A. Paikoff*  
Richard A. Paikoff, Reg. No. 34,892  
4/22/05  
Date

Sir:

Response to Notice of Non-Compliant Amendment with new listing of claims.

Copy of Notice of Non-Compliant Amendment.

Please charge any fees or credit any overpayments to Deposit Account No. 04-1679.  
(This Transmittal Letter is submitted in duplicate.)

Other: Return Receipt Postcard.

Respectfully submitted,

Date 4/22/05

*Richard A. Paikoff*  
Richard A. Paikoff  
Registration No. 34,892  
Duane Morris LLP  
One Liberty Place - 1650 Market Street  
Philadelphia, PA 19103-7396  
Telephone No.: 215-979-1853  
Facsimile: 215-979-1020

Docket No.: N1085-90003



## UNITED STATES PATENT AND TRADEMARK OFFICE



COPY

10/04/0042

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 4/6/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected version of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

1. Amendments to the specification:  
 A. Amended paragraph(s) do not include markings.  
 B. New paragraph(s) should not be underlined.  
 C. Other \_\_\_\_\_

2. Abstract:  
 A. Not presented on a separate sheet. 37 CFR 1.72.  
 B. Other \_\_\_\_\_

3. Amendments to the drawings: \_\_\_\_\_

4. Amendments to the claims:  
 A. A complete listing of all of the claims is not present.  
 B. The listing of claims does not include the text of all pending claims (including withdrawn claims)  
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).  
 D. The claims of this amendment paper have not been presented in ascending numerical order.  
 E. Other: Claim 9 should read Currently Amended.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonnotice/officetimeline.pdf>.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

*Karen Lawrence* (571) 272-1025  
Legal Intern Examiner (LIE) Telephone No.

BEST AVAILABLE COPY